T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			14-Sep-07	APPL. S. N:	10772079
To Exam	iner:		CORRIELUS, JEAN B.	Art Unit	2611
From			Logan, Rugenia PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68
SUBJEC	T: Decisio	n on Terminal	Disclaimer(T.D.) filed:		
form par or have a	agraphs i	dentified by th ions, please se	is informal memo in your next C ee me or the Special Program Ex	sults as set forth below. If you ag Office action to notify applicant of aminer. THIS IS AN INFORMAL, I RECORD IN THE APPLICATION FI	the T.D. If you disagree
please in	itial, date	and return th	is memo to me. THANK YOU.		
Y	The T.D.	is PROPER and	d has been recorded (see 14.23)).	
Г	The T.D.	is NOT PROPE	R and has not been accepted for	r the reason(s) checked below (se	ee 14.24):
		The TD fee of use of a depo	J	ed nor is there any authorization i	n the application file for the
		his/her intere		person who has signed the T.D. rest of the business entity representation.	
			s the enforceable only during co- ring rejection, Rule 321(b) (see	mmon ownership clause – needec 14.27.01).	I to overcome a non-statutory
				which is not acceptable since "the granted" (MPEP 1490) (see 14.26	disclaimer must be for a terminal 5 & 14.26.02).
	<u>. </u>	The person w	ho signed the T.D.:		
		is no	ot an attorney "of record" (see 1	4.29 and 14.29.01).	
		has	failed to state his/her capacity t	o sign for the business entity (see	e 14.28).
		is no	ot recognized as an officer of the	e assignee (see 14.29 & possible :	14.29.02).
		nor is the ree (see 37 CFR 3	l and frame number specified as 3.73(b) and 1140 O.G. 72). NOT	rom the original inventor(s) to ass to where such evidence is record E: This documentary evidence or a separate paper of record in the	led in the Office the specifying of the reel and
		The T.D. is no	ot signed (see 14.26 & 14.26.03).	
	\Box		mber of the application (or the nection is missing or incorrect (se	umber of the patent) which forms e 14.32).	s the basis for the double
	L:		mber of this application (or the r missing or incorrect (see 14.26,	number of the patent in reexam o 14.27.02 or 14.26.05).	r reissue cases being
	Г	The period dis	sclaimed is incorrect or not spec	ified (see 14.26, 14.27.02 or 14.2	26.03).
	Γ	Other:			I A
			request refund (see 14.36). NC leck this item.	OTE: If already authorized, credit	refund to deposit account
I have a	ppropriate	ely notified app	olicant(s) of the status of the Ter	rminal Disclaimer filed in this case	: .
Ex.Initia	ls:	Date	e:		Log Date:

Application Number		Application/Control No.		Applicant(s)/Patent under Reexamination AGAZZI ET AL.		under	
Document Code - DISQ		Internal Do		OC	ocument – DO NOT MAIL		
TERMINAL DISCLAIMER	×	X APPROVED			☐ DISAPPROVED		
Date Filed : August 20, 2007		This patent is subject to a Terminal Disclaimer					
Approved/Disapproved by:							
Henry D. Jefferson							

U.S. Patent and Trademark Office

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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING **REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional) 13469US03

In re Application of: Oscar E. Agazzi et al.

Application No. 10/772,079 Filed: February 3, 2004

For: DEMODULATOR FOR A MULTI-PAIR GIGABIT TRANSCEIVER

The owner*, Broadcom Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6.201,831 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent

expires for failure to pay a maintenance fee;

is held unenforceable;

is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

is reissued: or

is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. 🔲	For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government age	ency,					
	etc.), the undersigned is empowered to act on behalf of the business/organization.						

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney or agent of record

August 20, 2007 Date

John A. Wiberg

Signature

Typed or printed name

312-775-8000

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclalmer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior p	aten
r:	
expires for failure to pay a maintenance fee;	
is held unenforceable;	
is found invalid by a court of competent jurisdiction;	
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;	
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Check either box 1 or 2 below, if appropriate.

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	etc.), the undersigned is empowered to act on behalf of the business/organization.	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

States 2.	Code and that such willful false statements may. The undersigned is an attorney or agent of rec	· ·	validity of the applicati	on or any paten	t issued thereon.
	The undersigned is an alterney or agent of rec		alle	~~ <u>)</u>	August 20, 2007
			Signature		Date
			John A. Wiberg		
			Typed or pr	inted name	

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